IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

FRIDAY, THE 23RD NOVEMBER 2007 / 2ND AGRAHAYANA 1929

CRP.No. 637 of 2000(F)

(IA.2089/99 IN AS.306/1999 of DISTRICT COURT, THRISSUR)

REVN. PETITIONER/PETITIONER/APPELLANT :

JOSHY,
S/O. PUTHUSSERRY ALUKKA ANTHONY,
ST. MARY'S STREET, CHIYYARAM VILLAGE,
THRISSUR TALUK.

BY ADV. SRI.M.V.MATHEW

RESPONDENTS/RESPONDENTS/RESPONDENTS:

1. JULIE ANTONY,
S/O. UKKRAN ANTHONY,
CHEERACHI DESOM, OLLUR VILLAGE,
THRISSUR TALUK.

2. JAMES,
S/O. PELLISSERI PORINCHU,
ANCHERY DESOM, OLLUR VILLAGE,
THRISSUR TALUK.

BY ADV. SRI.S.V.BALAKRISHNA IYER
ADV. SRI.P.B.KRISHNAN

THIS CIVIL REVISION PETITION HAVING COME UP FOR ORDERS ON 23/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

CRP.No. 637 of 2000(F)

ORDER ON C.M.P.NO. 1327 OF 2000 IN C.R.P.NO. 637 OF 2000

DISMISSED.

23.11.2007 SD/- K.T. SANKARAN, JUDGE.

/TRUE COPY/

P.A. TO JUDGE.

K.T. SANKARAN, J.

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C.R.P. No. 637 OF 2000

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Dated this the 23rd November, 2007

O R D E R

The revision petitioner filed A.S.No. 306 of 1999 on the file of the court of the District Judge, Thrissur challenging the order in I.P.No.12 of 1996 of the ! Addl. Sub Court, Thrissur. The revision petitioner/appellant in the appeal filed I.A.No. 2089 of 1999 to stay the order passed by the trial court. The court below allowed I.A.No. 2089 of 1999 and the impugned order passed in I.P.No. 12 of 1996 was stayed on condition that the revision petitioner/appellant shall deposit before the trial court an amount of Rs. 51,000/- or furnish bank guarantee for the same.

2. The revision petition is filed challenging the conditions imposed by the court below for granting the stay.

3. Notice before admission was ordered on 08.03.2000. The process was defective and the defect was cured only on 01.06.2000. The first respondent was not served and the notice was returned. The revision petitioner did not take any steps .

The revision petition is posted in the defect list today. There is no representation for the revision petitioner. In all probability, the revision has become infructuous. The appeal before the court below is of the year 1999. No stay was granted by this court while notice before admission was ordered. Therefore, it is not necessary to keep this revision pending. The revision is dismissed for default and also on the ground that it has become infructuous.

K.T. SANKARAN,
JUDGE.

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K.T. SANKARAN, J.

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C.R.P. No. 637 OF 2000

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Dated this the 23rd November, 2007

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